

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 01-3329

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Vincent Michael Holthaus,

Appellant,

v.

Diana Eagon; Diane Krenz;  
Doug Thomson; Hennepin  
County Sheriff's Department,

Appellees.

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\* Appeal from the United States  
\* District Court for the  
\* District of Minnesota  
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\* [UNPUBLISHED]  
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Submitted: February 18, 2002

Filed: April 3, 2002

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Before McMILLIAN, BOWMAN, and BYE, Circuit Judges.

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PER CURIAM.

Minnesota inmate Vincent Michael Holthaus appeals from the final judgment entered in the District Court<sup>1</sup> for the District of Minnesota dismissing his 42 U.S.C.

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<sup>1</sup>The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Arthur J. Boylan, United States Magistrate Judge for the District of Minnesota.

§ 1983 action under 28 U.S.C. § 1915A(b). For the reasons discussed below, we affirm the judgment of the district court.

Holthaus claimed that defendants conspired to deprive him of his due process and equal protection rights by selectively prosecuting him and sentencing him more harshly than others who were similarly situated. After carefully reviewing the record, we agree with the district court that Holthaus's complaint failed to allege sufficient facts to support his claims, see Martin v. Sargent, 780 F.2d 1334, 1337 (8th Cir. 1985), and that the claims would in any event be barred under Heck v. Humphrey, 512 U.S. 477, 486-87 (1994). Accordingly, we affirm the judgment of the district court. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.